

REMARKS

Claims 1-35, are currently pending in the application. As indicated above, Claims 1, 2, 7, 15, 19, 21-24, 26, and 35 have been amended. It is gratefully acknowledged that the Examiner has found allowable subject matter in Claims 11, 13-15, 17-19, and 21-35.

In the Office Action, the Examiner has rejected Claims 1, 3-10, 12, 16, and 20 under 35 U.S.C. § 102(e) as being anticipated by *Parsa et al.* (U.S. 6,643,318), and Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over *Parsa* in view of *Cao et al.* (U.S. 6,647,005). Additionally, the Examiner has objected to the Abstract and to Claims 1, 2, 7, 15, 19, 26, and 35 as containing a few informalities.

With regard to the objection to the Abstract, as indicated above, this section of the specification has been amended to better comply with MPEP § 608.01(b). Accordingly, it is respectfully requested that the objection to the Abstract be withdrawn.

With regard to the objections to Claims 1, 2, 7, 15, 19, 26, and 35, as indicated above, these claims have been amended as suggested by the Examiner. Further, with regard to the claims to which the Examiner asserts clarification is required, i.e., Claims 1, 15, 19, and 35, these claims have also been amended accordingly. Therefore, it is respectfully requested that the objections to Claims 1, 2, 7, 15, 19, 26, and 35 are withdrawn.

With regard to the rejections of independent Claims 1, 16, and 20 as being anticipated by *Parsa*, it is respectfully submitted that the Examiner is incorrect.

As recited in the independent claims, the present invention is characterized in that a base station transmits CSICH (CPCH Status Indicator Channel) signals in order to inform a mobile station of the current maximum available data rate information and SI (Status Indicator) information of each CPCH. Accordingly, it is respectfully submitted that independent Claims 1, 16, and 20 are patentably distinct from *Parsa* in view of the feature of transmitting the current maximum available data rate information and SI information of each CPCH through the CSICH

signals. In *Parsa*, status information is broadcast to all UEs from a Node B (page 1, lines 3-5). More specifically, in *Parsa*, the base node broadcasts the status information to all UEs on a periodic or non-periodic basis. This information is limited to the availability (Idle) or non-availability (Busy) of every Common Packet Channel or the available data rates. However, *Parsa* fails to disclose any features of transmitting the status information through the CSICH and the maximum available data rate information. Therefore, it is respectfully submitted that independent Claims 1, 16, and 20 are patentably distinct from *Parsa*, and it is respectfully requested that the rejection to these claims be withdrawn.

Based on the arguments and amendments presented above, it is respectfully submitted that independent Claims 1, 16, and 20 are in condition for allowance. Without conceding the patentability per se of the pending dependent claims, they are likewise believed to be allowable by virtue of their dependence on independent Claims 1, 16, and 20, respectively. Accordingly, reconsideration and withdrawal of the rejections and objections of the dependent claims are respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-35, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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